

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Richmond Division)**

**In re:**

**LECLAIRRYAN PLLC,  
  
Debtor.**

**Lynn L. Tavenner, as Chapter 7 Trustee,  
  
Plaintiff,**

**vs.**

**ULX Partners, LLC and UnitedLex  
Corporation  
  
Defendants.**

**Chapter 7**

**Case No. 19-34574 (KRH)**

**Adv. Proc. No. 20-03142-KRH**

**DEFENDANTS' ULX PARTNERS, LLC'S AND UNITEDLEX CORPORATION'S  
MOTION TO PARTIALLY DISMISS THE COMPLAINT<sup>1</sup>**

Defendants ULX Partners, LLC (“ULXP”) and UnitedLex Corporation (“UnitedLex”) (collectively, “**Defendants**”), by counsel and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, made applicable to this proceeding by Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, respectfully move to dismiss Counts I, II, III, V, VI, VII, VIII, IX, X, and XI of the Complaint served by Plaintiff Lynn L. Tavenner, as Chapter 7 Trustee (the “**Trustee**” or

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<sup>1</sup> This Motion to Dismiss shall not be deemed or construed to be a waiver of Defendants’ rights (1) to have final orders in non-core matters or *Stern* claims entered only after de novo review by a District Court Judge, (2) to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case, (3) to have the District Court withdraw the reference as set forth in Defendants’ Motion to Withdraw the Reference filed on January 11, 2021 [Docket No. 13], and (4) to any other rights, claims, actions, setoffs, or recoupments to which Defendants are or may be entitled, all of which are hereby expressly reserved.

“**Plaintiff**”) of the bankruptcy estate of LeClairRyan PLLC (“**LeClairRyan**” or “**LCR**” or the “**Debtor**”), for the reasons set forth in the accompanying Memorandum.<sup>2</sup>

**RESERVATION OF RIGHTS**

Pursuant to Fed. R. Bankr. P. 7012(b), Defendants respectfully state that they do not consent to the entry of final orders or judgment by the Bankruptcy Court.

Dated: January 11, 2021

Respectfully submitted,

/s/ Thomas J. McKee, Jr.

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<sup>2</sup> Defendants reserve the right to file an Answer to all claims, including those that are not subject to this Motion to Dismiss, within the time provided for in the Federal Rules once the Court rules upon this Motion. *See Godlewski v. Affiliated Computer Servs., Inc.*, 210 F.R.D. 571, 572 (E.D. Va. 2002) (“the filing of a motion that only addresses part of a complaint suspends the time to respond to the entire complaint, not just to the claims that are subject of the motion.”).

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11th day of January 2021, I served a true and correct copy of the foregoing via the Court's CM/ECF filing system upon:

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